

EXHIBIT 4

2022-32090 / Court: 234

CAUSE NO. _____

TONIA SKIDMORE	§	IN THE DISTRICT COURT
	§	
	§	
VS.	§	HARRIS COUNTY, TEXAS
	§	
MARRIOTT INTERNATIONAL INC.	§	_____ JUDICIAL DISTRICT

PLAINTIFFS' ORIGINAL PETITION, REQUEST FOR DISCLOSURE, AND RULE 193.7 NOTICE

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW, TONIA SKIDMORE, hereinafter referred to as Plaintiff, complaining of and against MARRIOTT INTERNATIONAL INC., Defendant herein, and for causes of action would respectfully show the Court as follows:

I. DISCOVERY CONTROL PLAN

1.1 Pursuant to Rule 190 of the Texas Rules of Civil Procedure, Plaintiff would respectfully designate this as a Level 3 case.

II. PARTIES

2.1 Plaintiff TONIA SKIDMORE resides at 95 Lamplighter St. Lumberton, Texas 77657. Pursuant to the Texas CIVIL PRACTICE & REMEDIES CODE §30.014, the Court and parties are hereby advised that the last three numbers of TONIA SKIDMORE's the last three numbers of her social security number are 124.

2.2 Defendant, MARRIOTT INTERNATIONAL INC. is a validly existing Delaware corporation located in Washington D.C.. DEFENDANT may be served through its registered agent, C T Corporation System located at 1999 Bryan St., Ste. 900 Dallas, Texas 75201-3136 or wherever they may be found.

III. JURISDICTION AND VENUE

3.1 This Court has jurisdiction in this cause since the damages sought are within the jurisdictional limits of this Court. The incident occurred in Harris County.

3.2 All or a substantial part of the events or omissions giving rise to this action occurred in Harris County, Texas.

IV. FACTS

4.1 It has become necessary to bring this lawsuit against Defendant as Plaintiff was assaulted by the night manager of Residence Inn located at 1550 Barker Cypress Houston, Texas 77084 owned by Defendant while a guest and invitee of Defendant on June 1, 2020. The actions of Defendant's night manager caused significant injuries to TONIA SKIDMORE, which are hereinafter more fully described. Furthermore, Defendant is negligent for not training the night manager in policies and/or procedures such that the night manager should have known her conduct against Plaintiff was wrong and negligent.

V. CAUSE OF ACTION FOR NEGLIGENCE

5.1 At the time and place of the occurrence in question, Defendant, MARRIOTT INTERNATIONAL INC., was guilty of the following acts of negligence, each of which was a separate act of negligence and the proximate cause of the incident made the basis of this lawsuit, as well as all resulting losses, suffering, and damage hereinafter alleged:

1. Allowing their employee to assault Plaintiff;
2. Not training their employees sufficiently so they would know not to assault customers;
3. Not monitoring their employees in a reasonable manner.

5.2 Each and all of the above and foregoing acts, both omission and commission, were negligent and such constituted negligence and were each and all a proximate cause of the

occurrence made the basis of this lawsuit.

VI. DAMAGES

6.1 As a result of the occurrence in question, TONIA SKIDMORE sustained injuries to her back, and body in general, and hereby seeks compensatory damages for these injuries. Said injuries have caused physical pain and mental anguish in the past and will likely cause physical pain and mental anguish in the future; said injuries have caused physical impairment in the past and will likely cause physical impairment in the future; said injuries have required medical care in the past and will likely require medical care in the future. Furthermore, these injuries have caused Plaintiff, TONIA SKIDMORE to lose time from work and have caused her to suffer a loss of earning capacity in the past and will likely cause her to suffer a loss of earning capacity in the future.

6.2 Accordingly, TONIA SKIDMORE advances her claim for the following: (1) past and future physical pain and mental anguish; (2) past and future loss of earning capacity; (3) past and future physical impairment; and (4) past and future reasonable and necessary medical expenses incurred in the past and reasonable and necessary medical expenses likely to be incurred in the future.

6.3 For reasons previously set forth herein, Plaintiff seeks any and all damages generally recognized at law for such actions. Accordingly, Plaintiff seeks actual damages in an amount which she entrusts to a Harris County jury, and which the jury deems appropriate. Pursuant to Rule 47 of the TEXAS RULES OF CIVIL PROCEDURE, Plaintiffs hereby plead damages for monetary relief over \$50,000 but under \$100,000.

6.5 Plaintiff further seeks pre-judgment interest and post-judgment interest at the maximum amount permitted by law.

VII. REQUEST FOR DISCLOSURE

7.1 Pursuant to Rule 194 of the TEXAS RULES OF CIVIL PROCEDURE, Plaintiff requests Defendant, MARRIOTT INTERNATIONAL INC., within fifty (50) days of the service of Plaintiff's Original Petition, to supply the information or material described in Rule 194.2 (a) through (l). The Defendant must serve a written response to this Request for Disclosure on Plaintiff within fifty (50) days after the service of this request. Failure to timely respond shall constitute an abuse of discovery pursuant to TEXAS RULE OF CIVIL PROCEDURE 215.

VIII. RULE 193.7 NOTICE

8.1 Pursuant to Rule 193.7 of the TEXAS RULES OF CIVIL PROCEDURE, Plaintiff hereby gives actual notice to the Defendant that any and all documents produced may be used against the Defendant producing the document at any pretrial proceeding and/or at the trial of this matter without the necessity of authenticating the documents.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff, TONIA SKIDMORE prays that upon trial of this cause she have judgment against Defendant, MARRIOTT INTERNATIONAL INC.; that she recovers actual damages in an amount within the jurisdictional amounts of this honorable Court; that she have pre-judgment interest at the maximum legal rate and post-judgment interest at the maximum legal rate; that she recovers her costs of Court in this action expended; and that she have such other relief, both special and general, at law and in equity, to which she may show herself justly entitled.

Respectfully submitted,

/s/ Philip J. Orth, III
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